

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 MITCHELL KEITH GOODRUM,

4 Plaintiff

Case No. 3:20-cv-00185-RFB-WGC

**ORDER**

5 v.

6 STATE OF NEVADA, *et al.*,

7 Defendants  
8

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections  
11 (“NDOC”), has filed an application to proceed *in forma pauperis* and a motion for  
12 appointment of counsel. (ECF No. 1, 1-1). Plaintiff has not filed a complaint or an  
13 application to proceed *in forma pauperis* on this Court’s approved form with complete  
14 financial attachments.

15 Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a  
16 complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff sixty (60)  
17 days from the date of this order to submit a complaint to this Court.

18 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
19 application to proceed *in forma pauperis* on this Court’s approved form and attach both  
20 an inmate account statement for the past six months and a properly executed financial  
21 certificate. Plaintiff has not filed an application to proceed *in forma pauperis* on this  
22 Court’s approved form and has not provided an inmate account statement for the past six  
23 months and a properly executed financial certificate. As such, Plaintiff’s application to  
24 proceed *in forma pauperis* (ECF No. 1) is denied without prejudice. Plaintiff will be  
25 granted an opportunity to cure the deficiencies of his application to proceed *in forma*  
26 *pauperis*, or in the alternative, pay the full \$400 filing fee for this action. If Plaintiff chooses  
27 to file an application to proceed *in forma pauperis*, he must file a fully complete application  
28 to proceed *in forma pauperis* on this Court’s approved form and attach both an inmate

1 account statement for the past six months and a properly executed financial certificate.

2 **II. CONCLUSION**

3 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed  
4 *in forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

5 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the  
6 approved form application to proceed *in forma pauperis* by a prisoner, as well as the  
7 document entitled information and instructions for filing an *in forma pauperis* application.

8 IT IS FURTHER ORDERED that within **sixty (60) days** from the date of this order,  
9 Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on  
10 the correct form with complete financial attachments in compliance with 28 U.S.C. §  
11 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing  
12 fee and the \$50 administrative fee).

13 IT IS FURTHER ORDERED that Plaintiff will submit a complaint to this Court within  
14 **sixty (60) days** from the date of this order.

15 IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the  
16 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

17 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
18 dismissal of this action may result.

19 DATED: March 24, 2020

20 William G. Cobb  
21 UNITED STATES MAGISTRATE JUDGE  
22  
23  
24  
25  
26  
27  
28